

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WA.No. 585 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.30966/2006 Dated 30/01/2007
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APPELLANTS: PETITIONERS

- 1. MAHAMOOD IBRAHIM SAIT,
MANAR, R.K.PILLAI ROAD, CHULLIKKAL, KOCHI-5.**
- 2. IQBAL ISMAIL SAIT,
ELARI ESTATE & RESORT PVT. LTD.,
506, GOVIND APARTMENT, KALATHIL PARAMBIL ROAD,
ERNAKULAM SOUTH, KOCHI-16.**
- 3. S.M.MANSOOR,
23/2241, ST.JOSEPH CONVENT ROAD,
NEAR MOTHER TERESA JUNCTION, CHULLIKKAL,
COCHIN-2.**

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS: (RESPONDENTS)

- 1. KERALA WAKF BOARD, REPRESENTED BY THE
CHIEF EXECUTIVE OFFICER,
NEAR INTERNATIONAL STADIUM, KOCHI-17.**
- 2. P.M.KUNJU MOIDEEN KUTTY,
ADVOCATE, MULLASSERICANAL ROAD,
ERNAKULAM.**

**BY ADV. SRI.A.A.ABUL HASSAN, SC, WAKF BOARD
SRI.P.A.ABDUL JABBAR SC. KSWB(WAKF BOARD)**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.S. RADHAKRISHNAN(AG.C.J.) & M.N. KRISHNAN,J.

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Dated this the 6th day of March, 2007.

J U D G M E N T

Radhakrishnan,(Ag.C.J.)

Heard counsel on either side. The writ petition was preferred seeking a direction to quash Ext.P7 as well as to issue a writ a mandamus against the Kerala Wakf Board to recall the order passed by it. The learned Single Judge disposed of the writ petition directing the Board to appoint Muthawali after consultation with the appellants and their family members. Aggrieved by that decision the appellants have come up with this writ appeal.

2. The learned counsel for the appellants submitted that the terms and conditions of the Trust deed has not been considered by the Wakf Board. We give liberty to the appellants to place all those facts before the Wakf Board and the Board will consider the matters and pass appropriate orders in accordance

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with law within a period of three months from the date of receipt of a copy of this judgment.

The writ appeal is disposed of with the above direction.

**K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.**

M.N. KRISHNAN, JUDGE.

ul/-